Annexation

Submit Application Packet

See Planning Division's Published Project Review Timelines

Administrative Completeness
Follow the checklist provided

Accepted

Returned

1st Review

Missing Information Provided

Accepted

Returned for Corrections

Accepted

Withdraw Submittal

Subsequent Submittals

Accepted

Returned for Corrections

Public Notice and Public Hearing
Land Development Code Article 5.11

Notice of Decision
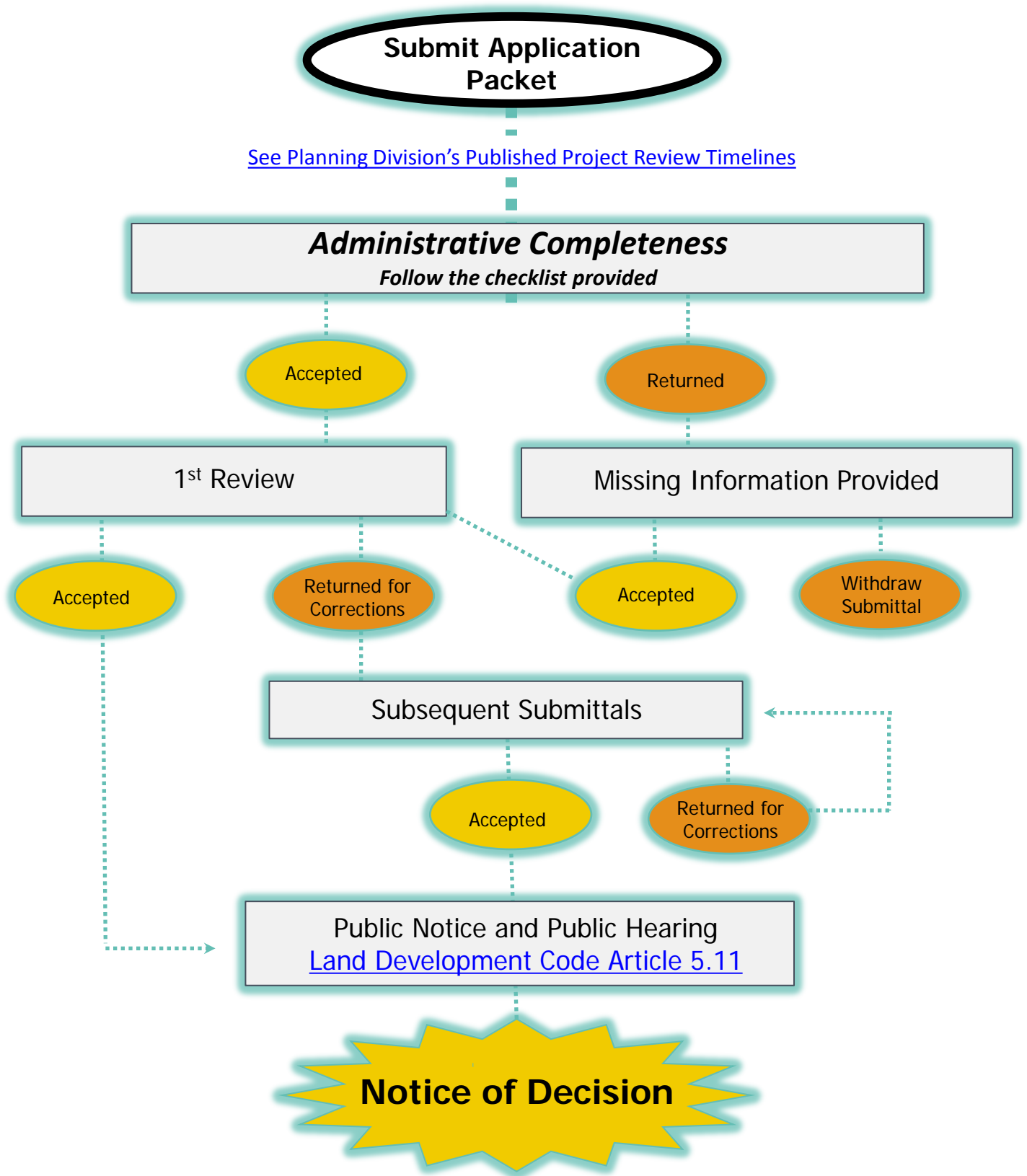
Annexation

- Staff reviews the proposed annexation to determine whether the property meets the contiguity requirements of ARS §9-471H or is exempt from such requirements.

- Staff shall file a blank petition in the office of the Maricopa County Recorder setting forth a legal description and an accurate map of all the exterior boundaries of the proposed annexation property.
  - Map to include all county rights-of-way and roadways with no taxable value
  - Legal description shall be sealed by a registered surveyor or engineer

- Public Hearing to be held by Town Council within the last 10 days of the 30-day waiting period.

- After expiration of the 30 days from the date of the blank petition was filed, signatures may be obtained on the annexation petition:
  - Petition shall contain signatures of the owners of one-half or more in value of the real and personal property and more than on-half of the persons owning real and personal property that would be subject to taxation by the Town, as shown by the last assessment of the property.
  - A signed petition for annexation shall be filed with the Development Services division within one year after the last day of the 30-day waiting period.

- After the filing of the signed petition, Town Council may adopt the proposed annexation ordinance. If adopted, the annexation ordinance becomes effective 30 days after it is signed by the Mayor.

- Prop 207 Waiver (Diminution in Value)
  - Title Report – If the title report is more than a month old, it will not be considered current.
  - Proof of signatures rights will be needed for LLC's or Corporation's

- Useful Links on Gilbert's Planning & Development webpage:
  - [Development Fee Schedule](#)
  - [Planning Division Project Review Timelines](#)
  - [General Plan Character Area Map](#)
  - [Zoning and Land Development Code](#)
  - [Zoning Map Noting Overlay Zoning Districts](#)

![Gilbert Arizona logo]

Annexation

Submittal Formatting, Required Materials and Checklist:
- ☐ Over the Counter Submittal:
    - ☐ **Submit electronic copy** of **ALL** required items on checklist. **(No 24" x 36")**
    - ☐ Submit a hard copy (8.5" x 11 **or** 11" x 17" only) of the entire packet with the electronic copy and payment. (<u>No 24" x 36"</u>)
    - ☐ Purge images of unnecessary blocks and layers (single layer).
    - ☐ Save each exhibit as a separate PDF per document naming below.

Document Naming:
- ☐ Exhibit 1: Application
- ☐ Exhibit 2: Project Narrative
- ☐ Exhibit 3: Proposition 207 (Diminution in Value) Waiver Form with Exhibits
- ☐ Exhibit 4: Parcel/Aerial Map
- ☐ Exhibit 5: Legal Description
- ☐ Exhibit 6: Annexation Exhibit

Checklist

☐ Exhibit 1: Application
- ☐ Must be fully completed and signed.

☐ Exhibit 2: Project Narrative
- ☐ Project Narrative should be typed in a 12pt font and no more than 5 pages in length;
- ☐ Description of the proposed annexation; and
- ☐ Provide an explanation on how the proposed annexation meets state law requirements.

☐ Exhibit 3: Proposition 207 Waiver with Exhibits
- ☐ Notarized [Proposition 207 Waiver](#) (Diminution in Value) with required exhibits
    - ☐ Exhibit A – Title Report (current)
    - ☐ Exhibit B – Legal Description & Map of Site
    - ☐ Exhibit C – Requested action setting forth any modifications, changes, deletions, or additions.

☐ Exhibit 4: Parcel/Aerial Map
- ☐ Maricopa County Assessor Parcel Map (Highlight project area and provide parcel number(s).

☐ Exhibit 5: Legal Description
- ☐ Metes and bounds description of the property including total gross acreage, sealed and signed by a Registered Engineer or Surveyor; and
- ☐ Electronic file of legal description with an electronic signature.

☐ Exhibit 6: Annexation Exhibit
- ☐ Graphic scale, north arrow, and exhibit date;
- ☐ Legal description
- ☐ Dimension property lines, easements, alleys, private streets and adjacent rights-of-way and all exterior boundaries;
- ☐ Parcels with parcel number indicated;
- ☐ Project data table: current land use; current jurisdiction; proposed jurisdiction, annexation area; existing zoning of adjacent property within 300 ft.

1-6-20

Work Type: Annexation

Description (Proposal Name):: _____

Address or Location: _____

APN/Tax Parcel Numbers: _____ **Gross Acres:** _____

Request:
(Work Class) ☐ Major (> 40 gross acres) ☐ Minor (</= 40 gross acres) ☐ Owner-occupied

Request Summary (briefly describe proposal here and attach a detailed narrative)**:**
_____

Number of existing dwelling units and addresses: _____

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Number of residents occupying existing dwelling units: _____

General Plan Character Area: (if applicable)	☐ Santan	☐ Heritage District
	☐ Gateway	☐ Morrison Ranch

Overlay Zoning District:	☐ Santan Freeway Corridor	☐ Phx/Mesa Gateway Airport
		☐ Vertical Development

Property Owner: (All information must be provided)

Name (print): _____ E-mail: _____
Address: _____
City, Zip: _____
Phone: _____ ☐ Business ☐ Mobile ☐ Home ☐ Other
Signature*: _____ Date: _____

*If signature is not provided above, a letter of authorization from the property owner is required.

Applicant/Contact: (All information must be provided)

Company: _____
Contact _____ E-mail: _____
Address: _____
City, Zip: _____
Phone: _____ ☐ Business ☐ Mobile ☐ Home ☐ Other
Signature: _____ Date: _____

<u>Administrative Completeness Review</u>
Staff will review the application to ensure all required documents and information has been included. If required information is missing, applicant will be notified that the application has been rejected until all required information is submitted. If the application is rejected, upon resubmittal, a new Administrative Completeness Review will be conducted. Staff may also determine if the request does not fall under the purview of this application type.

A.R.S. § 9-843. Prohibited acts by municipalities and employees; enforcement; notice
A. A municipality shall not base a licensing decision in whole or in part on a licensing requirement or condition that is not specifically authorized by statute, rule, ordinance or code. A general grant of authority does not constitute a basis for imposing a licensing requirement or condition unless the authority specifically authorizes the requirement or condition.
B. Unless specifically authorized, a municipality shall avoid duplication of other laws that do not enhance regulatory clarity and shall avoid dual permitting to the maximum extent practicable.
C. This section does not prohibit municipal flexibility to issue licenses or adopt ordinances or codes.
D. A municipality shall not request or initiate discussions with a person about waiving that person's rights.
E. This section may be enforced in a private civil action and relief may be awarded against a municipality. The court may award reasonable attorney fees, damages and all fees associated with the license application to a party that prevails in an action against a municipality for a violation of this section.
F. A municipal employee may not intentionally or knowingly violate this section. A violation of this section is cause for disciplinary action or dismissal pursuant to the municipality's adopted personnel policy.
G. This section does not abrogate the immunity provided by section 12-820.01 or 12-820.02.

Staff Use Only:
Permit Number: _____

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